

ANCILE.037A



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Andrews et al.)
App. No. : 10/029,109)
Filed : October 19, 2001)
For : COMPOSITION FOR IMPROVING)
SLEEP QUALITY AND)
EFFICIENCY, AND METHODS OF)
PREPARING AND USING THE)
COMPOSITIONS)
Examiner : Unknown

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620

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Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Ancile Pharmaceuticals, Inc.

Dated: May 22, 2002

By: Janice E. Thompson
Janice E. Thompson

Title: Chief Executive Officer

Address: 9381 Judicial Drive, Suite 160
San Diego, CA 92121

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COPY
DO NOT RECORD

Application No.: 10/029,109
Filing Date: October 19, 2001

PATENT
Client Code: ANCILE.037A
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ASSIGNMENT

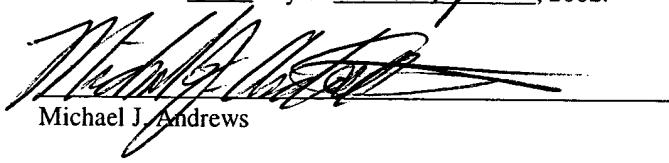
WHEREAS, We, Michael J. Andrews, a citizen of the United States of America, residing at 13844 Paseo Aldabra Rd., San Diego, CA 92129 and Amareesh Basu, a citizen of the United States of America, 15213 Calle Juanito, San Diego, California, 92129, have invented certain new and useful improvements in a COMPOSITION FOR IMPROVING SLEEP QUALITY AND EFFICIENCY, AND METHODS OF PREPARING AND USING THE COMPOSITION for which we have filed an application for Letters Patent in the United States, 10/029,109, filed October 19, 2001;

AND WHEREAS, Ancile Pharmaceuticals, Inc. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 9381 Judicial Drive, Suite 160, San Diego, CA 92121, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20 day of MAY, 2002.



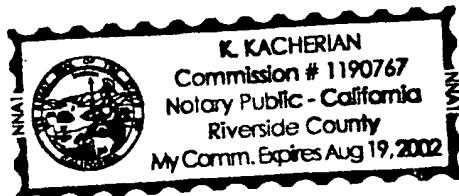
Michael J. Andrews

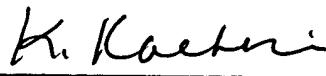
STATE OF CALIFORNIA }
COUNTY OF RAVENSBURG } ss.

On MAY 20, 2002, before me, MIKE ANDREWS, personally appeared Michael J. Andrews personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]




Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 17th day of May, 2002.

Basu

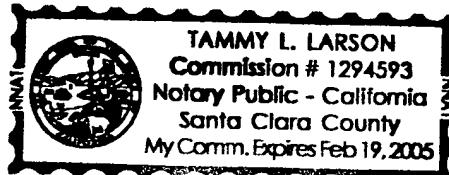
Amaresh Basu

STATE OF California }
COUNTY OF Santa Clara } ss.

On May 17, 2002, before me, Tammy L. Larson, Notary Public, personally appeared Amaresh Basu ~~personally known to me (or) proved to me on the basis of satisfactory evidence~~ to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity~~(ies)~~, and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Tammy L. Larson

Notary Signature